

## The Times-Dispatch

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FRIDAY, APRIL 10, 1903.

## THE INCOME TAX.

In yesterday's paper we took the position that the incomes of corporations, as well as the incomes of individuals, should be taxed. This is provided for in the new Constitution. Section 3 of article XI of the Constitution says:

"The General Assembly may levy a tax on incomes in excess of six hundred dollars per annum, and may levy a license tax upon any business which cannot be reached by the ad valorem system; and may impose franchise taxes, and in imposing a franchise tax may, in its discretion, make the same in lieu of taxes upon other property, in whole or in part, of a transportation, industrial or commercial corporation. And whenever a franchise tax shall be imposed upon a corporation doing business in this State, or whenever all the capital, however invested, of a corporation chartered under the laws of this State shall be taxed, the shares of stock issued by any such corporation, the same representing the business or capital so taxed, shall not be further taxed."

Let us pause for a moment to ask what is a franchise. A franchise is a privilege, but in it is implied the earning capacity of the corporation which enjoys the privilege conferred by government.

For example, a company secures a franchise to operate street cars on the streets of Richmond. It lays tracks, strings its trolley wires, builds and equips a power house and puts on cars. We will say that the entire line and its equipment cost a million dollars. The line is successfully operated for a year and is then sold to another company for two million dollars. In the meantime, there may have been no improvement in the line itself. Nothing may have been added in the way of equipment, and the physical property may in fact be worth less than when the road was first constructed. But in twelve months a new value has been created. The property has doubled in value, not because, as we have said, of any increase in the value of the physical property, but because the road has demonstrated its ability to earn a good dividend on an investment of two million dollars. It is manifest, therefore, that this franchise or good will, or whatever we may call it, is a thing of real value, and in this case is worth a million. Hence the framers of our Constitution have provided that this franchise may be taxed, for it is property.

But the next question is, how shall we arrive at the value of the franchise? There is no better basis of estimate. It seems to us, than the earning capacity of the concern, and, therefore, we have said that such corporations should be taxed on their income.

In the case of the railroads that very thing is done. It is provided in section 10 of the article above referred to that each railway or canal corporation shall, in addition to the tax on its physical property, pay to the State an annual State franchise tax equal to one per centum upon the gross receipts from year to year. But this tax is in lieu of the tax on the capital stock, and so the shares of stock issued by the company are exempt from taxation, and very properly so.

Why should not the same rule be applied to corporations other than railroad corporations? Why should not all the corporations of Virginia be required to pay a franchise tax based upon their earnings, or, to use another term, upon their income? In this way the State would get what was justly due it by the corporations, without running after the stockholders.

In yesterday's paper we suggested that it would be no great hardship on the majority of people if they were required to pay an income tax of forty cents on the hundred, without exemption. As the law now stands the income tax is one per centum, and the Constitution provides that there shall be no exemption of \$500 in each case. But would it not be a good plan for the State to fix the income tax the same as the general levy on real and personal property, and make it apply to all incomes, without exemption? If all corporations and all individuals were made to pay a reasonable income tax, the tax problem would be greatly simplified, if not entirely solved, and the burden of taxation would be more evenly distributed than ever before in the State's history.

## JUDGE CAMPBELL'S CASE.

When the House of Delegates considered yesterday the report of the Committee for Courts of Justice, recommending that Judge C. J. Campbell be removed from office, ninety members were in their seats.

When the vote was taken on the resolution to remove him, sixty-three of those present voted for and eighteen against the adoption of the report.

It had been reported that many members would make it convenient to be absent when this vote should be taken; that pairs would be freely made. We urged against such a course. We did not presume to advise members how they should vote, but we did advise them to be in their seats at the proper time and vote their honest convictions.

The attendance was most gratifying.

nine-tenths of the members being present.

This matter now goes to the Senate, and if a majority of the members of that body vote for the resolution Judge Campbell will be removed from office.

That is the simplest and most favorable method of dealing with a case of this character. If Judge Campbell is removed from his position that will be all. The action of the Legislature carries with it no penalty.

It would have been different, however, had impeachment proceeding been instituted. The Constitution provides that in case of impeachment the House shall frame the indictment, so to speak, and the accused shall be prosecuted before the Senate, which has sole power of impeachment. When sitting for that purpose the Senators are required to be on oath or affirmation, and no person may be convicted without the concurrence of two-thirds of the Senators present.

Judgment in case of impeachment not only carries with it removal from office, but disqualifies the person convicted from holding any office of honor, trust or profit under the State, and the person may subsequently be indicted and tried in a court of justice for his offense.

## THE MANN BILL.

Judge Mann has made a noble and successful fight for his bill to regulate the liquor traffic, and we congratulate him and his warm supporters on their victory.

We are in sympathy with the spirit of the bill, as we are in sympathy with all measures whose aim is to promote law and order and public morals. We do not like the method which the Mann bill provides of ascertaining public sentiment, but we may be wrong and Judge Mann may be right. Of one thing we may assure him and all who have advocated the bill. We wish to see it given a fair trial; we wish to see the new law honestly enforced and thoroughly tested, and if it accomplish what its friends claim for it, none will be more gratified than The Times-Dispatch.

The defeat of Mr. M. E. Ingalls, citizens' candidate for Mayor of Cincinnati, was unexpected and disappointing. His friends had believed that he would be elected triumphantly, and that with the prestige of that victory, he could become a successful candidate for Governor, and, perhaps, step from the gubernatorial chair into the presidency. A great variety of local questions entered into the canvass, and it is difficult to say precisely what it was that compassed Mr. Ingalls' defeat; but it is conceded that the Republicans were well organized, and brought out their vote with great success. Besides, Cincinnati is normally a Republican city. On the other hand, the Fusionists were divided, and to some extent quarrelled among themselves.

Late dispatches from Constantinople give us the information that Mr. Lelchman, our minister to Turkey, has at last obtained an audience with the Sultan and has presented to him an autograph letter from President Roosevelt, making in diplomatic language, of course, several demands upon the Sublime Porte. Similar information has reached these shores before from the same quarter, several times before in fact, but Uncle Sam has not yet had the pleasure of an opportunity to receipt his bill against the Sublime Porte. The Sultan always smiling, promises to settle up at an early date, and on one occasion he actually signified the date, and our consul was credulous enough to be on hand at the date named with pen in hand ready to receipt the bill. He did not receipt it, however, but was informed by the grand vizier, the grand opener and closer of the money vaults the grand minister of foreign relations and all the other grand Turks to whom he applied, that the Sultan had entirely neglected to mention the matter to them and they could do nothing without his order. We presume Minister Lelchman will go the rounds again with bill and pen in hand ready to transact business, and there being no American warships in shooting distance, he will get the same old song and dance for his pains. It seems to us, it is about time the President of this great nation, was thinking of bringing some of his boasted strenuousness to bear on the Sultan—that is, if he really wants to collect that bill.

A resolution passed by the two houses of the General Assembly provides for a recess of those bodies from May 15th until November. A special committee meanwhile is to revise and codify the laws.

The two houses have not given themselves much time in which to finish the enormous amount of business now before them and incomplete, and it will be only by the exercise of the utmost diligence that they will be able to get their work in a condition to take a recess on the date named. Of necessity, the consideration of the Campbell case will consume a good deal of time, inasmuch as a variety of legal questions have been raised by him in his answer, which, added to the disputed evidence, will make it no easy matter to dispose of the main question with speed. However, we believe it is the determination of the members to wind up their work by the 15th of May. The Committee on Revision will then take all of the statutes and go over them carefully and report what additions and changes may be necessary to make them a complete code of laws, conforming to the requirements of the new Constitution.

In London and, indeed, all over England this morning was ushered in with a universal cry of "Hot Cross Buns." There is an ancient superstition in England that will, perhaps, never die out, that if hot cross buns are eaten on the morning of Good Friday, they will prevent all kinds of disease during the year following. People who are known to gorge themselves with the buns may be drowsed or blown away the next day, but these things have never been able to conspire to shake the faith of the superstitious in the efficacy of the hot cross buns.

The latest message of President Palma to the Cuban Congress is optimistic and full of encouragement to all well whalers of the young republic. The treasury is in excellent condition, having a surplus of \$2,529,000. The President reports that railroad building is going on rapidly, and that there is abundant evidence that

the old time tendency toward revolution and disorder on the part of the people in Cuba, and no more to be feared. The Cubans themselves, more than anybody else, deserve the credit for this pleasing condition in their fertile island.

There were 72,800 votes cast at the legalized primary election in Baltimore on Tuesday—41,031 Democratic and 30,429 Republican. A large number of Republicans, including some negroes, registered as Democrats at the eleventh hour and participated in the Democratic primary.

The Hon. Tom Johnson, of Cleveland, has a brain new bonnet, with which to take care of a little presidential bee that is buzzing around more vigorously than ever since the Hon. Tom's re-election to the mayoralty.

This year's class of graduates at the West Point Military Institute are to go to Gettysburg National Park, April 20th, and there encamp with the view of studying military strategy. A corps of professors and lecturers will go with them.

Ex-Senator Mason, of Illinois, wants to know why he can't keep in close touch with the people through the medium of a weekly print shop, as well as Colonel Bryan can. It is his privilege to try it.

The Hon. Jim Tillman, of South Carolina, seems to like his comfortable quarters in jail. The bills he there bears are possibly preferable to those he knows not of.

Herr Most is out of jail once more, but he does not enjoy fresh air and will probably be back to prison as soon as he can conveniently get there.

Alexander, the King of Serbia, has dissolved the skupstina, and, strange to relate, he did it without dislocating a jaw-bone.

Mayor Fleischman, who beat Mr. Ingalls in Cincinnati, is a rising man. He is well known as a manufacturer of yeast.

The Hon. M. B. Ingalls is a first-class man at running railroads, but as a candidate, he runs behind time, far behind.

The man in the moon will be full on the night of the 11th. Being Saturday night several other men will be likewise.

Golden Rule Jones, of the city of Toledo, in Ohio, is a party unto himself and a pretty strong one at that.

Colonel Bryan has commenced to raise goats on his model farm. Getting ready to butt into something perhaps.

Danville was the storm center of Virginia. They were enjoying a local option election there.

That was a rather lively breeze that made a swarth through the whiskers of the Hon. Adlai Stevenson.

As a volunteer fireman, ex-Vice-President Stevenson is anything but a success.

Tom Johnson, of Cleveland, is all right. So also, is his big tent, and also his red automobile.

Carter Harrison II, is likewise Carter Harrison IV, of Chicago.

## Personal and General.

J. W. Curtis, of Chicago, has a clock 400 years old, which keeps good time, and with a pipe organ attachment that plays well to-day as the day it was made.

Arthur S. Rakkes, first secretary of the British Embassy, will sail for the United States April 15th, to be Chief of Affairs during the absence in Europe of Ambassador and Lady Herbert.

Ex-Senator Kellogg, of Louisiana, and Judge Weidon, of the Court of Claims, Washington, are the only survivors of the Illinois delegation of 1859, who were chosen to cast the vote of that State for Abraham Lincoln and Hannibal Hamlin.

The Rev. Charles A. Trotman, pastor of the Church of the Redeemer, St. Louis, is also a practicing physician, having regular office hours during the week.

Rev. R. F. Coyle, of the Central Presbyterian Church, of Denver, declared in a sermon recently that Mormonism was much to be preferred to divorce. "As between a system," he said, "which allows a man to have three or four wives or a woman three or four husbands, and a system which allows a man to have his plural wives all at once there is little to choose. I am not sure but that the odds are on the side of the Mormon."

Dr. E. Clark, the former railroad conductor who served on the Anthracite Strike Commission and is slated for Assistant Secretary of Commerce, first attracted the President's favorable notice by delivering a pithy address at a conference of locomotive firemen last year. It abounded with common sense and resulted in his being named as one of the coal strike arbitrators. Mr. Clark began life as a locomotive fireman and eventually became head of the order of conductors.

## Eggs—Easter and Others.

Easter eggs are all the talk just now, and a few facts pertaining to eggs, gathered here and there, may not be out of place.

Eggs constitute the most universal human food of animal origin. Hens' and ducks' eggs are commonly offered in our markets, but turkey eggs are seldom eaten.

Plover eggs are regarded as a great delicacy in Germany, and turtle eggs are highly prized in countries where they are abundant. Although once commonly eaten in this country, they are now seldom seen in the markets.

On an average a hen's egg is 2 1/4 inches long and 1 3/4 inches wide, at the broadest point, and weighs 2 ounces.

Recent official government figures show that eggs and poultry in the Eastern States constitute from 1-12 to 1-4 of the total value of all farm products.

The flavor of eggs may be influenced by the food eaten by laying hens. The North Carolina Experiment Stations, by feeding a quantity of chopped wild onion tops and bulbs to hens, obtained eggs so pronounced in flavor that they could not be eaten, and this continued while the onion ration was fed.

## Half Hour With Virginia Editors.

The Harrisonburg News, without fully understanding the deal, says: "Virginia has squandered accounts with the Federal government and will receive a check for \$7,000,000 the claim was for \$7,700,000 the lawyers must have been very reasonable in their charges."

The Staunton News, after calmly looking over the field, declares:

"The people are beginning to get very tired of all this political wind and want to see something done. Protection undoubtedly protects home industries, in that it enables them to form any and all kinds of combinations, but the general public is tired of dodging combinations that have long since cast off their swaddling clothes."

The Charlottesville Progress asks this pertinent question:

"If local option, not enforced, would produce disregard for and contempt of the law on the part of the young men, and painted down behind which they can be shielded, and within which the officers of the law cannot go, produce defiance of law?"

The Norfolk Virginian-Pilot has read up on Judge Campbell's answer, and says:

"The reply of Judge Campbell to the notice of the Legislature to appear and show cause why he should not be removed is not only a salty document, but it raises legal questions that cannot be lightly dismissed. It makes it evident that Judge Campbell will fight to the last ditch, and that the fight may not be a very one-sided affair, either."

This is a cheering paragraph from the Salem Sentinel:

"We note with pleasure the general improvement of property that is now going on in Salem. It shows conclusively that prosperous conditions are prevailing among us here, but all over this part of the State."

## A FEW FOREIGN FACTS.

On his way from Newport News to Liverpool the Lord Lansdowne met recently with sixty loobers and had to steer thirty miles out of her course to clear them.

It is reported that King Alexander peremptorily ordered four Serbian officers to challenge a professor to a duel to the death because the latter had publicly charged them with having obtained promotion over the heads of their seniors by servility to Queen Draga.

Sport is apparently not considered a necessary element in a French schoolboy's education. The school boys just gone from the director-general of elementary schools forbidding masters to allow their pupils to play leapfrog, football, rounders, tops, hopscotch and other games.

Those ever-ingenuous people, the Chinese, are great at fish farming, and one of their little dodges for hatching young fish is most ingenious. Taking a fresh hole and refilling the hole with the tiny eggs of the fish they want to hatch. The hole is then sealed up and the egg placed under a setting hen. In a very few days the fish are so far advanced that one has only to break the shell into moderately warm water and the little fish spring to life at once.

There are about 10,000,000 military sheep in Spain which each year travel as much as nine miles from the plains to the mountains. They are known as transhumantes, and their march, resting places and behavior are governed by special regulations dating from the fourteenth century. At certain times the sheep, which have the right to graze on all open and common land on the way. For this purpose a road ninety yards wide must be left on all enclosed and private property. The shepherds lead their flocks, which follow after and feed on the crops, and by large dogs to guard against wolves. The merino sheep travel forty miles to the mountains, and the total time spent on the migration there and back is fourteen weeks.

## Remarks About Richmond.

Norfolk Ledger: Richmond is fortunate in having the big educational conference within its gates this year—a fortnight hence—and we are hoping that not only the Capital City, but the whole State will gain renewed vigor and energy from the discussions of this distinguished body. Certainly there is large room to expect such a result, if all those connected with our school systems and kindred interests will keep in close touch with the proceedings of the conference. We commend any that have so many of our people as can possibly be so many of our people as can possibly catch the enthusiasm for a broader intellectual development, which we feel will abound at this meeting.

Baltimore News: A Richmond negro opened the malls for curiosity. It will take more than curiosity to open the prison doors again.

## Short Talks to the Legislature.

Newport News Press: While it seems to be generally understood that the Jamestown appropriation measure will strike the Senate, there are intimations that a fight will be made in that body on the bill. It is difficult to understand what ground there can be for such a contest, but the friends of the exposition project must face conditions, not theories.

Southern Virginian: The lower House of the Virginia Legislature has agreed to quit and go home for a summer's vacation. There were a few objections. Don't know whether the kickers are afraid to go home, have fallen in love with Richmond, or are just built that way.

Newport News Times-Herald: Why not vote at once, and pass the appropriation once and for all, and let us get to work down here, for there is much to be done besides receiving the pensioners from the State of Virginia. We hope Mr. Wickham will not oppose the measure.

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## A WOMAN'S HEAD ON A DOG'S BODY

Ghost in Henrico County Insults Charlie Cooke to Pull Up and Move.

The one thing which acted more effectively than the appearance of county officers to eject Charlie Cooke, a well known farmer, from certain Henrico property, which he had been ordered to leave, was the fearful apparition of a ghost—a giant dog with a white woman's head. The man pulled up at once and yesterday moved his place down the road to District where he hopes to be out of harm's way.

Cooke is about forty years of age and has for some time been renting Mrs. Freeman's farm in Varina. For inability to pay rent, or other reasons, proceedings were instituted and he was put out. But he promptly moved back and yesterday Deputy Sheriff Voelger went down to order him away again.

This time, however, Cooke was moving of his own accord. He had already started away. To the deputy he said that for several nights past about 10 o'clock the premises have been visited by a most fearful apparition—a ghost, which takes the shape of a dog with woman's head. It gets into the yard and scatters the milk pans and the wood pile, uttering the while most horrible noises. Upon some occasions it comes up to the door and rattles the knocker.

Cooke showed the deputy two pistols he had armed himself with as a means of protection against the ghost. Still he wanted to get out of the place, and hence he was moving. He has chosen a house about ten miles down in Varina District, where, he hoped, the ghost could not follow.

An old white woman who lives in the same house with Cooke declares that all his fears concerning the ghost is absolutely correct.

## ARE ANGLING FOR MILLIONS

Litigants Who Hope to Win Something from the Huntington Estate.

NEW YORK, April 8.—In my letter a few days ago I referred to the suit of Mrs. G. Emily Reynolds, of Washington, against the Huntington estate, and the motion made last Friday, for the immediate filing of the appraiser's inventory of the estate. A suit similar to this was brought by an Englishman named Morshead, and was dismissed by Surrogate Thomas, on the ground that since there was no evidence to prove that Morshead was a creditor of the estate—which the executors formally and emphatically denied—the Surrogate had no jurisdiction to entertain it. The main point of difference between the two suits is that Morshead claimed to own 100 shares, while Mrs. Reynolds is the owner of only ten of the Central Pacific Railroad stock, concerning which both charged fraud and collusion in the making and carrying out of construction contracts.

Surrogate Fitzgerald was inclined last Friday to deny the present application on the ground set forth in Surrogate Thomas' elaborate decision, but yielded to the pleadings of the petitioners to be allowed to submit briefs, and the case is to be submitted this week. The matter, therefore, now awaits the decision of the Surrogate, which it is to be hoped will be promptly rendered and do a great deal of good in stopping the bringing of useless and expensive law suits.

The Central Pacific Railroad was built by Huntington and his associates, Hopkins, Crocker and Sanford, and a few other strong business men of California who had amassed fortunes in their various occupations, and were bold enough to risk them in a scheme to connect the East and the West by a great railroad. From their connection with the construction company, which actually built the line, arose many years afterwards the claims of certain disappointed stockholders or alleged stockholders that there had been collusion and fraud in making the construction contracts. These men and their associates were laughed at because of their foolishness in trying to put a railroad line over the high mountain ranges and the almost pathless plains and deserts that then lay like an ocean between the Atlantic and the Pacific. The Gate and Huntington was dubbed "Pacific Railroad Crazy," because of his enthusiastic faith in the venture. He and his associates triumphed, however, overcoming all obstacles, and the Union and Central Pacific Railroads became facts.

In the case of the present plaintiff, it is interesting to note that she did not acquire her stock until three years after President Cleveland's Commission, appointed by Congress in 1877, to investigate the affairs of the Central Pacific had made their widely-published report. It showed that the contracts were made collusive and fraudulent and all acts and proceedings under them had been ratified, approved and confirmed by the stockholders without a dissenting voice, and that the profits made in construction "were only reasonable in view of the risks assumed."

Huntington used to be amused at these law suits, and when Morshead, in 1897 and 1898, made an outbreak in the English newspapers attacking Huntington savagely the latter laughed and commented on it with a remark better understood of London than here: "If Morshead can get any satisfaction out of such things it is all right. I don't mind. They don't injure me, and maybe they will keep Morshead from thinking of certain things that are more harmful to him than law suits." The policy of the estate, of all the suits, seems to be like his own, that is, to have everything brought out into the open and threshed over as they have already been threshed over many times.

## JOHN MARSHALL.

What it Was Based On. Speaker Ryan's ruling on Tuesday that it required only forty votes to agree to the following language of the Constitution: "No bill . . . which imposes, continues or revives a tax shall be passed except by the affirmative vote of a certain number of the members elected," etc.

That provision of the Constitution had been complied with and the records of both houses show fifty-one in the House and twenty-one in the Senate voting in favor of the passage of the bill. The Constitution further says that only by an affirmative vote of a majority of those voting, which shall include forty votes in the House, shall a conference report be agreed to.

Will Decide To-Day. In the United States Court yesterday the case of the government against Peyton Stokes (colored) was tried and the jury will decide the case to-day. Stokes is charged with having forged certain pension papers. The negro was represented by Mr. Melvin Fliegenheimer and Judge Lewis appeared for the government.

Phillips Claim Reported. The House Finance Committee has reported a bill to effect the sale of the "Kelley" of James M. James E. Phillips \$5,000 for losses incurred upon certain contracts for building at the University of Virginia. The bill will likely pass.

## Results Count Remington

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## BRENT OF THE BADGER

Romance of the Kidnapping of a Governor-General.

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"I do," replied Fitzmorris.

"Then be good enough to tell us what this is all about."

"The governor took the old manuscript and, after looking at a line or two, read as follows:

"The statement of Manuel Gorgas, duke of Corvantes y Badajos, grandee of Spain.

"As I am about to start upon a perilous journey, and knowing the dangers of the sea, and also the chance of capture by the ships of England, which prowls the waters like ravening wolves—

"That's one on you, Fitzmorris," interrupted Brent.

The governor smiled and continued: "And having amassed much gold and jewels during my voyage, and desiring should this fall in the hands of those people, and I should perish in battle or otherwise, that my title and money should fall into the hands of those to whom they belong, I did not intend to leave my property and title descend by law and inheritance to the eldest son of my daughter by my first wife, Mary Margaret Fairholme, of Portsmouth, England."

"What is that?" cried Brent.

"To the eldest son of my daughter by my first wife, Mary Margaret Fairholme, of Portsmouth, England, and to his eldest son and so down."

"Mary Margaret Fairholme," said the captain, slowly.

"That is what it says," replied Fitzmorris.

"That heavens, how extraordinary!"

"Why extraordinary?"

"Because Mary Margaret Fairholme's daughter was my great-grandmother, my grandfather was her eldest son, my father was his eldest son, and I am an only son, so, consequently—

"You are sure of this?"

"Sure of it, man! I have all the paper to prove it in my chest below."

"Then you are the Duke of Corvantes y Badajos, grandee of Spain?"

"They all stood silent with amazement. The captain was the first to recover himself.

"Read on," he said: "let us see what the old man has to say beside."

"With the money, jewels and the estates in the province of Badajos, in Spain, go also the lands on the islands situated on the chart which is attached to this statement and marked as belonging to me. The title to each and all is good and valid, taken away, I did not intend to leave it entirely, mine, and is rich in gold, silver and gems."

"Pshaw!" exclaimed Brent. "This is more than I bargained for when I came here. It sounds like a fairy tale."

"It is no fairy story, your Grace," says Fitzmorris, with a smile and a bow. "You have but to prove your identity, and your case is simple."

"Then there is no difficulty at all. These papers have been handed down with instructions that they be carefully preserved. I knew that I was related to some great house in Spain, but I did not know that I was a duke, and I did not know that I was a grandee, and I did not know that I was a duke and a grandee."

"And how you are the head of it?" exclaimed Madeline. "What am I, pray?"

"I do not know what your title is, but you are a great heiress, my dear," said the captain, with a laugh.

"What are you going to do about it, Brent?" asked the Governor.

"Nothing at present, as you can imagine, I do not care about the dukedom, but I do care about the money and the estates. I have been in Spain, and I do not care to go there again. Besides, an American would not be over popular there